

REMARKS

Claims 19-27 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

INFORMATION DISCLOSURE STATEMENT

The Examiner has objected to the previously filed Supplemental Information Disclosure Statement because the entry in the "Other Documents" section of PTO-1449 form "did not provide related information other than filing dates." On the PTO-1449 form the Examiner drew a line through the cited information and wrote, "Document is not related to IDS."

Upon information and belief, the Applicants provided the cited "Other Documents" information to show the Examiner that document number 10078969 A (also cited in the subject 1449 form and duly considered by the Examiner) had been cited by the Chinese Patent Office during prosecution of corresponding Chinese Application No. 01118060.9. Thus the information reflected in the "Other Documents" section of Applicants' Supplemental IDS has been provided to show the manner in which cited reference 10078969 A was brought to Applicants' attention. Specifically, the subject Chinese office action relies upon the 10078969 A document as basis for rejecting the corresponding Chinese 01118060.9 application.

Accordingly Applicants respectfully request the Examiner to reconsider his position and show that the Chinese office action has been considered. If the Examiner is simply objecting to the manner in which the information has been typed into the 1449 form, Applicants respectfully request the Examiner's assistance in understanding what other information is required.

No SUPPLEMENTAL DRAWINGS

The Applicants also wish to confirm that the Examiner is correct. The "supplemental" drawings sent with the previous response were not intended to be added to the application, but were merely submitted in support of the Applicants' response to the Office Action.

REJECTION UNDER 35 U.S.C. § 102

Claims 19-27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Herz (U.S. Pat. No. 6,029,195). This rejection is respectfully traversed. Reconsideration in light of the presently presented amendments is requested.

Many of the grounds for rejection in the present Office Action are the same as stated in the Office Action of October 24, 2003. Applicants responded to those rejections in the Amendment filed March 19, 2004, and submit that those responses continue to be applicable. However, the Examiner has further clarified his position at page 9 of the present Office Action, stating:

In response to Applicant's argument, examiner disagrees because the current invention uses the clustered concept (see Fig. 1) and the prior art also uses the clustering. Merely pointing out differences in clustering is not a patentable invention. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. (Office Action of 5/17/2004, page 9).

While Applicants' appreciate the issue raised by the Examiner, Applicants' invention is not simply an intended use of a prior art structure. Rather, the invention

employs new structure that performs clustering (and labeling) in a programmatically controlled way that is not found in the prior art. The prior art system is not configured or programmed to produce Applicants' unique clustering and labeling results. Also, the cited portions of the Herz reference do not teach what Applicants recite in the relevant elements of their claims.

Accordingly, in order to more fully distinguish Applicants' invention from Herz, independent claims 19 and 26 have been amended to recite the structural configuration of the clustering means, namely that the clustering means is configured to programmatically enforce a rule wherein the number of the plurality of clusters is determined such that the number of clusters having two or more elements of the plurality of clusters is maximized. The Herz reference contains no programming to enforce such a rule.

Regarding claims 20, 21 and 23, the Examiner found that Herz employs "cluster sentence label preparation," citing Herz col. 19, ln 29 through col. 20, ln 17. (See Office action of 5/17/2004 at page 5, paragraph 7. However, the cited portion of Herz relates to applying "quality attributes" to target objects. Presumably these quality attributes are predefined, and include such items as: "popularity among users in general, the rating a particular reviewer has given target object X, the age..." (See Col 19, Ins 45-50.)

In contrast with Herz, the Applicants' invention employs automatic cluster label generation, where cluster labels are generated based on terms contained in feature vectors associated with the clusters.

Accordingly, in order to more fully distinguish the applicants' invention in this regard, independent claims 23 has been amended to recite that the cluster label preparation means automatically generates a cluster label based on terms contained in

feature vectors for each of the plurality of clusters. The Herz reference does not teach automatic preparation of cluster labels in this way.

Independent claims 20 and 21 have also been amended to recite that the cluster label preparation means is automatic. These claims already recite other distinguishing features not found in Herz, namely that one sentence is selected as a label of the cluster, based on a term score for each of the plurality of clusters.

Hence, all claims are believed to be allowable over Herz.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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